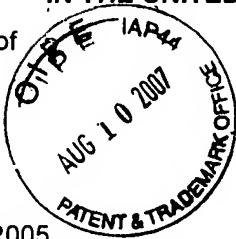


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ITW

In re Patent Application of

Atty BJS-4982-4
Dkt.

C# M#

MULET SALORT et al.

Serial No. 10/551,699

Filed: September 30, 2005

Title: PLANT HEMOGLOBIN

TC/A.U. 1638
Examiner: Kumar

Date: August 10, 2007

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

| | | | |
|--|----|----------------------|--------------------------------|
| Total effective claims after amendment | 0 | minus highest number | |
| previously paid for | 20 | (at least 20) = | 0 x \$50.00 |
| | | | \$0.00 (1202)/\$0.00 (2202) \$ |

| | | | |
|------------------------------------|---|----------------------|--------------------------------|
| Independent claims after amendment | 0 | minus highest number | |
| previously paid for | 3 | (at least 3) = | 0 x \$200.00 |
| | | | \$0.00 (1201)/\$0.00 (2201) \$ |

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$0.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

| | |
|------------------------|--------------------------------------|
| One Month Extension | \$120.00 (1251)/\$0.00 (2251) |
| Two Month Extensions | \$450.00 (1252)/\$0.00 (2252) |
| Three Month Extensions | \$1020.00 (1253)/\$0.00 (2253) |
| Four Month Extensions | \$1590.00 (1254)/\$0.00 (2254) |
| Five Month Extensions | \$2160.00 (1255)/\$1080.00 (2255) \$ |

Terminal disclaimer enclosed, add
\$130.00 (1814)/ \$0.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

| | | | |
|---|-----------------|----|------|
| Rule 56 Information Disclosure Statement Filing Fee | \$180.00 (1806) | \$ | 0.00 |
|---|-----------------|----|------|

| | | | |
|--------------------------|----------------|----|------|
| Assignment Recording Fee | \$40.00 (8021) | \$ | 0.00 |
|--------------------------|----------------|----|------|

| | | | |
|--------|--|----|------|
| Other: | | \$ | 0.00 |
|--------|--|----|------|

| | | |
|------------------|-----------|-------------|
| TOTAL FEE | \$ | 0.00 |
|------------------|-----------|-------------|

 CREDIT CARD PAYMENT FORM ATTACHED.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: /B. J. Sadoff/



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MULET SALORT et al. Atty. Ref.: 4982-4; Confirmation No. 8024

Appl. No. 10/551,699 TC/A.U. 1638

Filed: September 30, 2005 Examiner: Kumar

For: PLANT HAEMOGLOBIN

* * * * *

August 10, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

Responsive to the Official Action dated July 10, 2007, the applicants elect, with traverse, the subject matter of the Examiner's Group I. Reconsideration and withdrawal of the lack of unity assertion and examination of all of the claimed subject matter are requested.

The Examiner is requested to at least examine the subject matter of the Examiner's Groups I and II as the subject matter shares a common inventive concept, the claims of the Examiner's Groups I and II are not independent and distinct and search and examination of the claims of the Examiner's Groups I and II will not be an undue burden.

Specifically, the applicants believe that in the subject matter of the Examiner's Groups I and II a yield increase was obtained for plants that had increased expression

MULET SALORT et al.

Appl. No. 10/551,699

August 10, 2007

Response

of a class 2 non-symbiotic haemoglobin. The general inventive concept shared by the subject matter of the Examiner's Groups I and II is that a yield increase may be obtained by increasing the expression of a class 2 non- symbiotic haemoglobin, regardless of the growth conditions of the plant.

Withdrawal of the lack of unity assertion, at least with regard to the subject matter of the Examiner's Groups I and II, is requested along with an early and favorable Action on the merits of the claims of the Examiner's Groups I and II.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____ /B. J. Sadoff/
B. J. Sadoff
Reg. No. 36,663

BJS:

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100